

Annual 47 CFR § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2018 covering the prior calendar year 2017 of TSG Global, Inc.

1. Date filed: March 1, 2018
2. Name of company(s) covered by this certification: TSG Global, Inc.
3. Form 499 Filer ID: 826295
4. Name of signatory: Noah Rafalko
5. Title of signatory: President
6. Certification:

I, Noah Rafalko, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 CFR § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how the Company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 et seq. of the Commission's rules.

The Company has not taken actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The Company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The Company represents and warrants that the above certification is consistent with 47 CFR § 1.17, which requires truthful and accurate statements to the Commission. The Company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed _ 

Attachment: Accompanying Statement explaining CPNI procedures)

Statement of Policy of Treatment of Customer Proprietary Network Information

1. It is the policy of TSG Global, Inc. (hereafter referred to as “TSG Global” or “Company”) not to use CPNI for any activity other than permitted by law. Any disclosure of CPNI to other parties (such as affiliates, vendors, and agents) occurs only if it is necessary to conduct a legitimate business activity related to the services already provided by the Company to the customer. If the Company is not required by law to disclose the CPNI or if the intended use does not fall within one of the carve-outs provided under 47 U.S.C. §222 or 47 C.F.R. §64.2001, *et. seq.*, the Company will first obtain the customer’s consent prior to utilizing CPNI.
2. TSG Global follows industry-standard practices to prevent the unauthorized access to CPNI by a person other than the subscriber himself or TSG Global. However, TSG Global cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information. Therefore, in accordance with the Commission’s rules regarding breaches:
 - A. If an unauthorized disclosure were to occur, TSG Global will provide notification of the breach within seven (7) days to the United States Secret Service (“USSS”) and the Federal Bureau of Investigation (“FBI”).
 - B. TSG Global will wait a minimum of an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.
 - C. Notwithstanding the provisions in subparagraph B above, TSG Global will not wait the additional seven days (7) days to notify its customers if the Company determines that there is an immediate risk of irreparable harm to its customers.
 - D. The Company will maintain records of discovered breaches for a period of at least two (2) years.
3. All employees are trained as to when they are, and are not, authorized to use CPNI upon employment with the Company and annually thereafter.
 - A. Specifically, the Company will prohibit its personnel from releasing CPNI based upon a customer-initiated telephone call, except under the following three (3) circumstances:
 - a. When the customer has a pre-established password;
 - b. When the information requested by the customer is to be sent to the customer’s address of record; or
 - c. When TSG Global calls the customer’s telephone number of record and discusses the information with the party initially identified by the customer when service was initiated.

- B. The Company may use CPNI for the following purposes:
 - a. To initiate, render, maintain, repair, bill and collect for services;
 - b. To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
 - c. To provide inbound telemarketing, referral or administrative services to the customer during a customer-initiated call and with the customer's informed consent;
 - d. To market additional services to customer that are within the same categories of service to which the customer already subscribes;
 - e. To market services formerly known as adjunct-to-basic services; and
 - f. To market additional services to customer with the receipt of informed consent via the use of opt-in or opt-out, as applicable.
- 4. Prior to allowing access to customers' individually identifiable CPNI to Company's joint-venturers or independent contractors, the Company will require their entry into both confidentiality agreements that ensure compliance with this Policy, and opt-in consent from a customer prior to disclosing the information in order to safeguard its customers' CPNI. Additionally, the Company requires all outside dealers and agents to acknowledge and certify that they may only use CPCNU for the purpose for which the information has been provided.
- 5. TSG Global requires express written authorization from the customer prior to dispensing CPNI to new carrier, except as otherwise required by law.
- 6. Company does not market, share, or otherwise sell CPNI to any third party.
- 7. To the extent TSG Global and its affiliates utilize CPNI for marketing purposes, the Company will maintain a record of such marketing. The record will include a description of each campaign, the specific CPNI used in the campaign and what products and services were used in the campaign.
- A. Prior to commencement of a sales or marketing campaign that utilizes CPNI, the Company will establish the status of its customers' approval of the use of CPNI. The following sets forth the procedure for approval by a customer for the Company's use of CPNI:
 - a. Prior to any solicitation for customer approval, TSG Global will notify customers of their right to restrict the use of, disclosure of, and access to their CPNI.
 - b. TSG Global will use opt-in approval for any instance in which TSG Global must obtain customer approval prior to using, disclosing, or permitting access to CPNI.

- c. A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.
 - d. Records of approvals are maintained for at least one year.
 - e. The Company provides individual notice to customer when soliciting approval to use, disclose, or permit access to CPNI.
 - f. The content of the Company's CPNI notices will comply with the Commission's rules, including 64.2008(c).
8. TSG Global has implemented a system to obtain approval and informed consent from its customers prior to the use of CPNI for marketing purposes. This system allows for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.
9. TSG Global has a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and will maintain compliance records for at least one year. Specifically, the Company's sales personnel will obtain express approval of any proposed outbound marketing request for customer approval of the use of CPNI by an officer of TSG Global.
10. TSG Global notifies customers immediately of any account changes, including address of record, authentication, online account and password related changes.
11. TSG Global may negotiate alternative authentication procedures for services that TSG Global provides to business customers that have a dedicated account representative and a contract that specifically addresses TSG Global's protection of CPNI.
12. TSG Global is prepared to provide written notice within five business days to the FCC of any instance where the opt-in mechanisms do not work properly to such a degree that consumer's inability to opt-in is more than an anomaly.